

**Virginia Scenic River Board  
Tuesday, June 28, 2005  
Department of Forestry  
Charlottesville, Virginia**

**Virginia Scenic River Board Members Present**

Richard G. Gibbons, Chair  
Henry R. Broaddus  
Ralph Hambrick  
Mark R. Merhige  
Cardell C. Patillo, Sr.  
Richard B. Taylor

David C. Dowling, for Joseph H. Maroon  
Donald O. "Spec" Campen  
Robert G. Harrison  
Ralph L. Moore  
Christopher B. Rivers  
Porcher L. Taylor

**Virginia Scenic River Board Members Not Present**

James. A.L. Daniel  
Mary Lily Nuckolls

Patricia Jackson  
Gordon Shelton

**DCR Staff Present**

John R. Davy  
Mark B. Meador  
Michael R. Fletcher

**Others Present**

J. Michael Foreman, Department of Forestry  
Andy Wilson, Rivanna Conservation Society  
Jack Shea, Friends of Rockfish Watershed  
James Fulcher, Department of Forestry  
Tamara Ambler Green, Albemarle County

**Call to Order**

Mr. Gibbons called the meeting to order and declared a quorum present. He asked members to introduce themselves.

**Approval of the Minutes**

*April 22, 2004*

MOTION: Mr. Harrison moved that the minutes of the April 22, 2004 meeting be approved as submitted.

SECOND: Mr. Patillo

DISCUSSION: None

VOTE: Minutes approved as submitted

*September 23, 2004*

MOTION: Mr. Merhige moved that the minutes of September 23, 2004 be approved as amended.

SECOND: Mr. Moore

DISCUSSION: None

VOTE: Minutes approved as submitted

### **Chairman's Report**

Mr. Gibbons gave the Chairman's report. He shared with members a letter from Helen Casey, Chair of the Goose Creek Scenic River Advisory Committee, thanking the Board for meeting in Loudoun County in September 2004.

Mr. Gibbons said that Ann Donovan Larson, a riparian landowner with the Catoctin Creek group hosted a stream monitoring day. They have established a monetary award for the best photos of Catoctin creek. Ms. Larson will represent Catoctin Creek on the Goose Creek Committee.

Mr. Gibbons attended the James River Advisory Council meeting on January 27<sup>th</sup>. The Council is interested in the work of the committee and in the conservation easement program.

Mr. Gibbons was also invited to discuss riverfront development at the 2005 Governor's Conference on Greenways, Blueways and Trails. He hosted a walking tour of the riverfront.

Mr. Gibbons referenced a generic copy of the presentation he gave for both meetings. He suggested that Board members may choose to modify this presentation as appropriate when they are asked to speak concerning river issues. A copy of the generic presentation is available from DCR.

Mr. Gibbons noted that at this year's joint meeting of the National Association of State Outdoor Recreation Liaison Officers, National Association of State Outdoor Recreation Resource Planners, and the National Park Service, John Davy received the National

Recognition Award for Outstanding Leadership in the Conservation, Development and Enhancement of Our Nations Natural, Cultural and Recreational Resources. In addition, he received an outstanding service to the profession award for his work on a national team in providing innovative solutions to the administration of the Land and Water Conservation Fund Program.

### **Director's Report**

Mr. Dowling gave the Director's report. He noted that the 2005 General Assembly session was significant in terms of conservation.

Mr. Dowling said this was a landmark session for the expansion and increased staffing of Virginia's State Parks. State Parks received \$18 million in new funding and 57 new positions.

The Department received \$3 million in maintenance reserve and \$650,000 over a four-year period for State Park dam repairs. The Department also received additional boosts to the general obligation bonds.

DCR's Division of Natural Heritage received \$300,000 to assist from an operational perspective. The operational funding is to provide for responsible management of the natural area preserve system, including enhanced public access and expanded wildlife management. The General Assembly is recognizing that the 2010 goals are advancing and that the necessary nutrient reductions need to be in place.

Mr. Dowling noted that \$90 million was designated for water quality improvements. Over \$50 million of that will go to DEQ for point source reductions. \$30 million will come to DCR to work with Soil and Water Conservation Districts to address nonpoint source reductions. There will also be a study conducted by senior legislators who will look at long-term funding needs for the Chesapeake Bay.

From a land conservation perspective, an additional \$10 million was provided for protecting land through the Virginia Land Conservation Foundation.

The Secretary of Natural Resources, DCR and DEQ are working to develop guidance for the issuance of the Water Quality funds. Draft guidelines were provided in member packets and are available online. The public comment period ends on July 29<sup>th</sup>.

DCR will provide funding for Agriculture BMP Cost Share, CREP Cooperative and Local NPS reductions, and water quality initiatives. The majority of the money will be spent on agricultural issues.

Mr. Dowling said that the proposed changes to the Nutrient Management regulations are open for public comment through July 1.

Mr. Dowling recognized Mr. Davy for additional comments.

Mr. Davy said that one of the major components of the 2002 General Obligation Bond was the acquisition of new land for state parks. Some of those properties designated were:

- Seven Bends on the Shenandoah River
- About 700 acres on the Middle Peninsula

“High Bridge” Rail Trail is the name given to the 34.5-mile abandoned railroad corridor that runs between Pamplin City in Appomattox County through Farmville, Prince Edward and Cumberland Counties and on to Burkeville in Nottoway County. It is named for the high railroad bridge over the Appomattox River where a battle was fought just days before Lee’s surrender at Appomattox Courthouse. A ceremony to transfer the title from Norfolk Southern to DCR should be held in November.

Through another act of the General Assembly, DCR acquired a little over 1,500 acres from the Beaumont Juvenile Correction Center in Powhatan. The master planning process for this park has begun with the intent to have the park open for day use before 2010.

With regard to Scenic Rivers, Mr. Davy said that the Department has studied 32 of 37 miles of the Meherrin River in Brunswick County. The corridor sustained extensive damage from Hurricane Isabelle and later floods that collected trees damaged in Isabelle. The corridor is very remote with few signs of human habitation.

DCR is contracting with Virginia Commonwealth University to conduct another update of the Virginia Outdoors Survey.

DCR staff have conducted a study of the Clinch River corridor in Russell County to identify ways in which public access and recreational opportunities along the River might be enhanced. DCR administers several Natural Area Preserves in the study corridor and local governments would like to provide recreational facilities to attract eco-tourism to the region.

The state of North Carolina passed a capitol budget for state parks that included funds to acquire lands along the Mayo River from the Virginia/NC state lines south for up to 12 miles to the confluence with the Dan River. Virginia residents in Henry and Patrick Counties have asked DCR to study the potential of developing recreational facilities along the Virginia portions of the North and South Forks and main stem.

There has been a great deal of interest in designating 20 miles of the New River from Glen Lynn, Virginia to the top of the pool for Bluestone reservoir in West Virginia. The draft study, including a recommendation to designate, will be published in the next few weeks.

Mr. Davy reviewed ongoing water trail projects:

- Northern Virginia Park Authority – Occoquan River Canoe Trail from Bull Run Park to Mason Neck.
- Shenandoah River Blueway – The map has been sent to the printer. This maps the section of South Fork from Port Republic to Shenandoah.
- New River Blueway – This will be mapped and produced by Trails Illustrated and will cover 300 miles from Boone, NC to Gaulley Bridge, WV
- Captain John Smith Water Trail – The trail is in the early stages of development. This will be ready for the Jamestown 2007 Commemoration.
- Rappahannock River Water Trail – This is being developed by the Friends of the Rappahannock from Kelly's Ford to Fredericksburg.

Mr. Dowling referenced a spreadsheet provided in members' packets that detailed the locations for scenic river signage. DCR and VDOT are moving forward with this project.

DCR has applied to the VDOT board for a \$100,000 grant to address signage issues.

### **River Corridor Protection Presentations**

Mr. Dowling introduced Mark Meador, Michael Foreman and John Davy for presentations on river corridor protection.

Mr. Meador gave the following presentation regarding the Conservation Reserve Enhancement Program (CREP)

#### **Conservation Reserve Enhancement Program (CREP)**

Purpose – across Virginia, to establish and restore:

- Forested riparian buffers on pasture and cropland
- Native warm season grass filter strips on cropland
- Wetlands

Delivery – A partnership program in Virginia with:

- *USDA Farm Service Agency* performing overall administration
- *USDA Natural Resources Conservation Service* performing technical assistance with planning and practices specifications
- *Department of Conservation and Recreation* – data collection, promotion, guidance and easements
- *Department of Forestry* assisting with technical advice on tree planting, planting stock
- *Soil and Water Conservation Districts* administering state payments locally, further assisting with data collection and local administration and assistance

Specific Goals:

Chesapeake Bay

- 25,000 acres of riparian buffers
- 3,000 acres of wetlands restoration
- 6,000 acres of CREP perpetual open space easements

Southern Rivers region of the state:

- 15,000 acres of riparian buffers
- 2,250 acres of wetlands restoration
- 3,000 acres of CREP perpetual open space easements

The enrollment schedule will close with the end of the current Farm Bill (December 31, 2007)

Payments to landowners – state and federal contributions provide:

- Annual rental payments for 10 or 15 year contracts:
- Cost-share assistance for BMPs
- Incentive payments
- Further incentives for recording a permanent easement after BMP installation (state incentive only)

**CREP Permanent easement option:**

- Who is eligible? – CREP participants with approved 10 or 15 year contracts in place.
- Virginia pays a one-time incentive of \$500/acre, AND
- Costs associated with recording the permanent easement (land survey; title search; recording fee)
- Goals are 6,000 acres in the Chesapeake Bay basin; 3,000 acres in the Southern Rivers.
- DCR is the easement holder
- Easements restrict – construction/development; agricultural usage; commercial timbering; other modifications of the land (grading, mining, etc.). The goal is to maintain a perpetual, vegetative buffer along waterways.

**Magnitude of the challenge to achieve program goals:**

- Southern Rivers: average CREP contract is 5 acres; achieving 3,000 acres of perpetual open space easements means commitments with 600 landowners
- Chesapeake Bay basin: average CREP contract is 10 acres; achieving 6,000 acres of perpetual open space easements means commitments with 600 landowners.

Achieving 9,000 acres may require recording permanent easements through 1,200 landowners

Progress to date: 100 acres of recorded easements; others in the “pipeline”

**DCR Resources/approach:**

- In January, 2005, employed a permanent easement coordinator – Diane Dunaway
- Ms. Dunaway will be working closely with key local partner agency staff on a county-by-county basis to advance the message of permanent easements
- Presently 2 organizations are on contract with DCR to “shepherd” landowners through the recording requirements (survey, title search, recording); DCR will be seeking greater assistance for this service in the future.

Michael Foreman from the Department of Forestry discussed riparian forest buffers.

Executive Order #48, issued by Governor Gilmore in 2001 made the Department of Forestry the lead agency for riparian forest buffers.

Mr. Foreman said that the goal for the Chesapeake Bay Program was for 2010 miles of riparian buffer by the year 2010. He said that to his knowledge, this is the only goal thus far reached by the Bay Program. This goal has been reached and exceeded 8 years early.

The increased goal is now for 10,000 miles by the year 2010 and an additional emphasis on conservation.

Mr. Foreman introduced James Fulcher, the Department’s new Chesapeake Bay coordinator.

Mr. Foreman noted that DCR and DOF share the vision of protecting watersheds and developing healthy riparian corridors.

In 2000, the U.S. Forest Service gave DOF the permission to run their Forest Legacy Program. Thirty-eight states are approved and share this program funding. The Forest Legacy Program is a federal program to support state efforts to protect environmentally sensitive forest lands and is designed to encourage the protection of privately owned forest lands.

Mr. Davy gave an overview of the Virginia Land Conservation Foundation.

The General Assembly has appropriated an additional \$10 million for land conservation bringing the total available to \$12.5 million. The Virginia Land Conservation serves as the mechanism for the distribution of these funds.

Mr. Davy noted that one grant round has just been completed. The next grant round is from July 1, 2005 through September 20, 2005.

The program is primarily designed to protect land resources. Lands covered under these grants must be protected in perpetuity.

Information regarding grant applications is available on the DCR website.

Mr. Dowling noted that DCR has filled the position of Land Conservation Coordinator. Sara Richardson will begin in that position on July 15, 2005.

### **Scenic River Website Discussion**

Mr. Gibbons referenced a handout summarizing the proposed content for the Scenic River website. This information has been coordinated by Lynn Crump of the Division of Planning and Recreation Resources. Once finalized, it will appear on the DCR website.

Mr. Gibbons asked that members send comments directly to Ms. Crump by August 15, 2005.

A copy of the draft information is available from DCR.

### **Development of a Scenic River Brochure**

Mr. Gibbons referenced a copy of the 1987-88 Virginia Scenic River brochure. A copy of this brochure is available from DCR.

Mr. Gibbons noted that the Department has worked on a Scenic River brochure for a number of years. DCR and VDOT have worked together to produce a brochure on Virginia Scenic Byways.

Mr. Gibbons asked that members look at the original brochure and the example of the Scenic Byways brochure and provide comments back to DCR regarding the development of a new brochure.

### **Scenic River Reports**

Mr. Gibbons said that there are 19 rivers in the Scenic River System. Albemarle County has three of those rivers. Mr. Gibbons called on representatives from those areas to make presentations.

#### *Moormans and Rivanna*

Mr. Andy Wilson of the Rivanna Conservation Society and Friends of the Moorman River spoke regarding the Moormans and the Rivanna Rivers.



Mr. Wilson reviewed a map to show the orientation of the rivers within the Rivanna River watershed. The Rivanna watershed includes the Moormans River.

The Moormans River is a tributary of the Rivanna and has its headwaters in the Shenandoah National Park. The Moormans River has a watershed of 63,000 acres.

Mr. Wilson said one of the most significant problems with the river is the Sugar Hollow Dam at the headwaters. The dam was built in the 1920s and is grandfathered in for most regulations. He said that the restricted waterflow severely impacts the flow of the river during low water times.

The Friends of the Moormans have been working with local authorities on a solution.

Mr. Wilson said that the Rivanna Authority sells water to the City of Charlottesville and the University of Virginia.

A proposal has been developed and accepted to build a pipeline for an alternative water source. However, this pipeline will not be operational for another five years.

A local group called Stream Watch monitors water quality on the rivers. Water quality on the Rivanna has been rated fair to poor.

The Rivanna Conservation Society is working with the community and the landowners for removal of the Sugar Hollow Dam.

### *Rockfish*

Mr. Jack Shea spoke regarding the Rockfish River. He noted that he had recently retired from the Washington, DC area. He now lives on the Rockfish River where he has 1,200 feet of riverfront.

Mr. Shea said that the Friends of the Rockfish river work to safeguard health, scenic beauty and cultural heritage along the river. Their website is: <http://www.forwatershed.org>.

The Friends of the Rockfish have been conducting stream monitoring and recently began working with Virginia Cooperative Extension on the master gardener program.

### *Staunton*

J.T. Davis spoke regarding the Staunton River. He noted that he was a lifelong resident of Halifax County who has taken an active interest in the preservation of the river.

There is a lot of prime agricultural land along the Staunton River. A number of river festivals are held that provide tours of historic homes and farms along the river.

The Citizens for the Preservation of the River are working to actively establish a minimum stream flow of the River. The group has developed a working relationship with Appalachian power.

### **New Business**

Mr. Gibbons presented certificates of appreciation to Albemarle and Nelson Counties. Those certificates read as follows:

*Presented to:*

***Albermarle County***

*In appreciation and recognition of services and actions that:*

***Led to the recognition of the special values of the Rivanna, Moormans and Rockfish Rivers, their designation as a State Scenic Rivers by the General Assembly of Virginia and the continued stewardship of the rivers.***

And,

*Presented to:*

***Nelson County***

*In appreciation and recognition of services and actions that:*

***Led to the recognition of the special values of the Rockfish, its designation as a State Scenic River by the General Assembly of Virginia and the continued stewardship of the river.***

Mr. Gibbons noted that there is not often the opportunity to say thank you and that he welcomed the opportunity to present these certificates to Albemarle and Nelson Counties.

### **Public Comment**

There was no public comment.

**Next Meeting**

The next meeting of the Virginia Scenic River Board will be held in early November with the location to be determined.

Mr. Gibbons said that the Department may plan a river float at a state park to give members an opportunity to experience actual monitoring and evaluation of a river. Additional information will be sent to members.

**Adjourn**

Being no further business, the meeting was adjourned.

Respectfully submitted,

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Richard G. Gibbons  
Chairman

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Joseph H. Maroon  
Recording Secretary